

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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JUN 24 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In re the Matter of)

Rulemaking No. _____

Amendment of Section 73.202(b), Table
of Assignments, FM Broadcast Stations
(Cascade, Montana))

To: The Commission

PETITION FOR RULEMAKING

Stephen D. Dow, by his attorneys, files this Petition for Rulemaking and requests that the Commission issues a Notice of Proposed Rulemaking amending §73.202(b) of the Commission's Rules in the following respects:

	<u>Present</u>	<u>Proposed</u>
Cascade, MT	--	285C

Attached hereto, and incorporated herein, is an engineering statement by Evans Associates detailing the co-channel and adjacent channel spacing requirements needed to achieve the proposed amendment of §73.202(b) of the Rules.

If the Commission amends the Table of Assignments to allocate Channel 285C to Cascade, Montana, Stephen Dow will file an application with the Commission to construct and operate an FM station on Channel 285C at Cascade, Montana.

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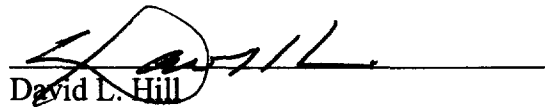
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For all of the foregoing reasons, it is respectfully requested that the Commission issue a Notice of Proposed Rulemaking proposing to amend §73.202(b) of the Rules as proposed herein.

Respectfully submitted,

STEPHEN D. DOW

By:

A handwritten signature in dark ink, appearing to read "David L. Hill", is written over a horizontal line.

David L. Hill
Audrey P. Rasmussen
His Attorneys

O'Connor & Hannan
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, D.C. 20554
(202) 887-1400

Dated: June 24, 1994

11113.Doc.

ENGINEERING REPORT

**A PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS**

**TO ASSIGN FM CHANNEL 285C
TO CASCADE, MONTANA**

MARCH 1994

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ENGINEERING STATEMENT

This Engineering Statement and the attached figure have been prepared on behalf of Steven D. Dow, by B. Benjamin Evans of Evans Associates, Consulting Communications Engineers in Thiensville, Wisconsin. This exhibit supports a petition by Dow requesting modification of the Table of FM Allotments to specify FM Channel 285C at Cascade, Montana.

Evans Associates has been retained by Steven Dow ("petitioner") to prepare the engineering portion of a petition for rule making to assign FM Channel 285C to Cascade, Montana. This petition for rule making, if granted, would provide the town of Cascade with its first local broadcast service.

The town of Cascade is located in Cascade County in northwestern Montana. There are no FM channels presently assigned to Cascade.

As a result of a frequency search conducted by this office, it has been determined that Channel 285C may be assigned to Cascade, Montana as a "drop-in" without affecting any existing or proposed FM assignments. Therefore, it is requested that Section 73.202(b) of the FCC Rules and Regulations be amended in the following manner:

<u>Community</u>	<u>Existing</u>	<u>Proposed</u>
Cascade, Montana	--	285C

It is the petitioner's intention to apply for a construction permit to operate on the FM channel proposed herein, if it is assigned.

The reference point coordinates of the town of Cascade are:

N. 47°-16'-15" ; W. 111°-42'-16"

The assignment of Channel 285C to Cascade will meet all minimum distance separation requirements under the FCC rules if the transmitter site is located at least 30 kilometers northeast of the center of Cascade.

Engineering Statement - Page 2
Cascade, Montana

The transmitter site coordinates assumed for the purposes of this petition for rule making are:

N. 47°-09'-34" ; W. 111°-00'-39"

From this location, it is 54.0 kilometers to the town of Cascade, on a bearing of 283.6° True. The height at ground level at this site is 2072 meters AMSL and 514 meters HAAT. For an antenna height of 600 meters HAAT, the antenna AMSL would be 2158 meters.

The maximum effective radiated power for a Class C station with an antenna height of 600 meters HAAT is 100 kilowatts. In order to place a predicted 3.16 mv/m signal over the entire town of Cascade from the above location, the effective radiated power required would be 24 kilowatts. Thus, the community of license coverage would be assured at this site even at modest Class C transmitting facilities.

Attached as Figure 1 is a terrain path study which shows that line-of-site transmission into the proposed community of license would be achieved from the above location, without any terrain obstructions.

In view of the above, it is believed that the assignment of Channel 285C to Cascade, Montana would be in the public interest.

ATTACHED FIGURE

Figure 1 - - - - Terrain Path Study - FM Channel 285C, Cascade MT

AFFIDAVIT

COUNTY OF OZAUKEE }
STATE OF WISCONSIN } SS:

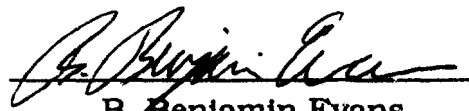
B. BENJAMIN EVANS, being duly sworn upon oath deposes and says:

That his qualifications are a matter of record with the Federal Communications Commission;

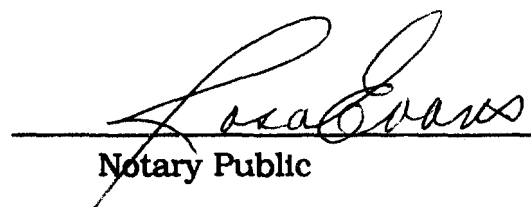
That he is a Consulting TeleCommunications Engineer in Wisconsin, and is a partner in the firm of Evans Associates;

That this firm has been retained by Steven D. Dow to prepare this engineering exhibit;

That he has either prepared or directly supervised the preparation of all technical information contained in this engineering statement, and that the facts stated in this engineering statement are true of his knowledge, except as to such statements as are herein stated to be on information and belief and as to such statements he believes them to be true.


B. Benjamin Evans

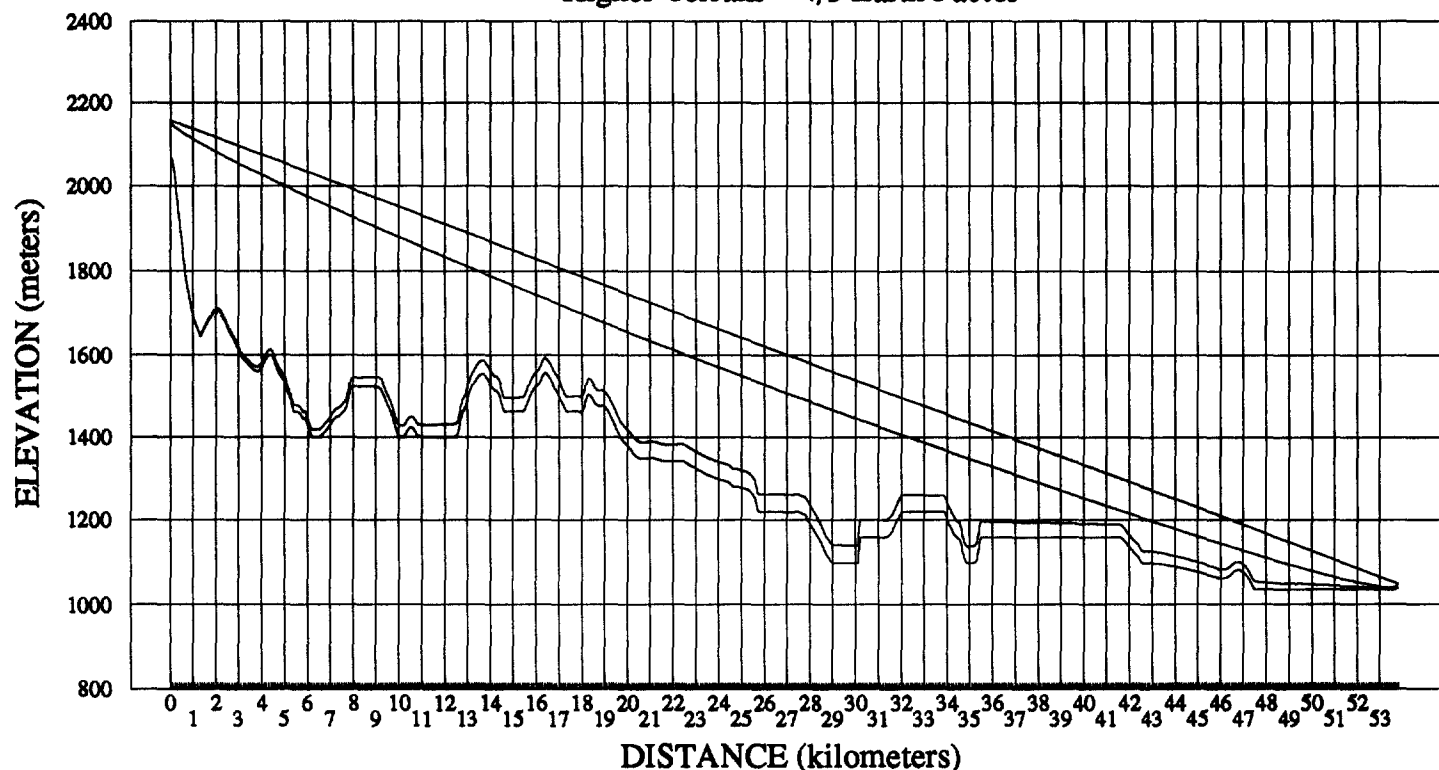
Subscribed and sworn to before me this 10th day of March, 1994.

 My Commission expires Sept 1996
Notary Public

PATH STUDY

Mountaintop Site to Cascade

Higher Terrain = 4/3 Earth Factor



MICROWAVE PATH STUDY

03/10/94

SUMMARY OF PATH: Mountaintop Site to Cascade

	TRANSMIT		RECEIVE	
	(m)	(ft)	(m)	(ft)
ANTENNA HT. AGL =	86.2584	283.0	9.144	30.0
ANTENNA HT. AMSL =	2158.2	7080.7	1048.1	3438.7

PATH DISTANCE = 53.8 km
33.4 mi

FREQUENCY = 104.9 MHz
0.1 GHz

Minimum Distance from 4/3 Terrain to Fresnel Zone = 3.05 meters
(Allowance for trees, buildings etc.) 10.0 feet

FRESNEL FACTOR = 0.6

NOTES:

THE DATA CONTAINED IN THIS STUDY IS SUBJECT
TO CHANGE PENDING VISUAL VERIFICATION.

FROM	TO
47-09-34	47-16-15
111-00-39	111-42-16